

**GOVERNMENT OF TELANGANA**

ABSTRACT

Telangana Motor Vehicles Taxation Act, 1963 – Andhra Pradesh Re-Organisation Act, 2014 – Levy of Quarterly Tax on Goods and Passenger Vehicles etc. – ORDERS – ISSUED.

= = = = =

**TRANSPORT, ROADS & BUILDINGS (Tr.I) DEPARTMENT**

**G.O.MS.No. 15.**

**Date: 30-03-2015.**

Read the following:

1. G.O.Ms.No.43, TR&B (Tr.I) Department, Dated: 01.06.2014.
2. Andhra Pradesh Re-Organisation Act, 2014.
3. G.O.Ms.No.2, TR&B (Tr.I) Department, Dated: 17.06.2014.
4. Circular Memo No.586/Tr.I(1)/2014, TR&B (Tr.I) Department, Dated 28.07.2014.
5. Orders of the Hon'ble High Court in WP No.21257/2014, 21562/2014 and batch, dated 30.07.2014, 31.07.2014 and 13.11.2014.
6. From the Transport Commissioner, Telangana State, Hyderabad, Letter No.647/S/2014, Dated: 29.12.2014
7. From the Transport Commissioner, Telangana State, Hyderabad, Letter No.757/R/2014, Dated: 19.03.2015.
8. Orders of the Hon'ble High Court in WP.No.7928, 7982 and 8016 of 2015, Dated 25.03.2015.
9. From the Transport Commissioner, Telangana State, Hyderabad, Lr.No.757/R/2014, Dated 26.03.2015.

\*\*\*

**ORDER:**

In the G.O.1<sup>st</sup> read above, the erstwhile State of Andhra Pradesh have issued orders that in pursuance of the provisions of Section 72(1) of Andhra Pradesh Re-organisation Act, 2014, the Governor of Andhra Pradesh resolved that "The Quarterly Tax paid for any quarter up to 31.03.2015 in any of the Successor States shall be deemed to have been paid for both the successor States and thereafter new Governments to decide."

In the G.O.3<sup>rd</sup> read above, the State of Telangana have adapted all the Acts, Rules, Notifications etc., issued prior to 02.06.2014 and shall continue to be in force in the State of Telangana.

In the Circular Memo 4<sup>th</sup> read above, clarificatory orders were issued to the Transport Commissioner, Telangana State, Hyderabad and it is clarified that

(1) All transport vehicles including Contract Carriages, Goods Carriages, Motor Cabs, Maxicabs, Commercial Tractor Trailers, Passenger Autorickshaws entering into the State of Telangana from Andhra Pradesh State shall be treated as Other State vehicles and shall be subjected to the levy of motor vehicle tax at the specified rates and periods as applicable to the respective category of vehicles.

(2) It is further clarified that the following categories of vehicles are liable to pay the tax at the specified rates and as such levy of tax shall be made under the provisions of Telangana Motor Vehicles Taxation Act, 1963.

- a) Goods vehicles entering into the State of Telangana from AP on short term licences not covered by National Permit
- b) AP State Contract Carriages
- c) All India Tourist Buses
- d) Maxi Cabs

**Contd..2.**

**::2::**

Against the above clarificatory orders, certain transport vehicles operators have filed Writ Petitions before the Hon'ble High Court not to levy and collect the Quarterly Tax in the light of the orders issued in the G.O.1<sup>st</sup> read above.

The Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and for the State of Andhra Pradesh in WP No.21257/2014, 21562/2014 and batch, dated 13.11.2014 have clarified that "...payment made by any vehicle owner in relation to any quarter after 31.3.2015 obviously will have to be collected by the respective State.....".

Further, the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and for the State of Andhra Pradesh in W.P.No.7928, 7982 & 8016 of 2015, dated 25.03.2015 have directed that ".....both the Governments to take a decision in terms of the earlier Government order within a period of seven days from the date of receipt of a copy of this order and communicate the same to all the writ petitioners and also issue a public notification. Thereafter, both the parties will be free to take steps in accordance with law, as may be advised. Taking coercive steps at this stage does not and cannot arise".

In the references 6<sup>th</sup>, 7<sup>th</sup> and 9<sup>th</sup> read above, the Transport Commissioner, Telangana State, Hyderabad has requested the Government to allow the Transport Department to collect Quarterly taxes from vehicles originating from Andhra Pradesh coming to Telangana State, in the light of orders of the Hon'ble High Court.

Government, after careful examination of the matter and in view of the orders of Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and for the State of Andhra Pradesh in WP No.21257/2014, 21562/2014 and batch, dated 13.11.2014 and in WP Nos.7928, 7982 & 8016 of 2015, dated 25.03.2015 have decided to issue the following notification.

### **NOTIFICATION**

In exercise of the powers conferred under Section 3 of the Telangana Motor Vehicles Taxation Act, 1963 (adapted vide G.O.Ms.No.2, TR&B (Tr.I) Department, dated 17.6.2014) hereby directs that all the transport vehicles including Contract Carriages, Goods Carriages, Motor Cabs, Maxicabs, Commercial Tractor Trailers, Passenger Autorickshaws etc., entering into the State of Telangana from Andhra Pradesh State shall be treated as other State vehicles and shall be subjected to the levy of motor vehicle tax at the specified rates and periods as applicable to the respective category of vehicles under the Telangana Motor Vehicles Taxation Act, 1963 and the Notifications issued there under from time to time.

This Notification shall come into effect from 01-04-2015.

The Transport Commissioner, Telangana State, Hyderabad is requested to take further action in the matter immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**SUNIL SHARMA  
SECRETARY TO GOVERNMENT**

To  
The Commissioner of Printing, Stationery & Stores Purchases, Chenchalguda, Hyderabad (He is requested to publish the notification in the Extra-ordinary issue of Telangana Gazette, dated:31-03-2015 and send 500 copies to Government)

**Contd..3**

**::3::**

The Transport Commissioner, Telangana State, Hyderabad. He is requested to inform the petitioners in WP Nos. 7928, 7982 & 8016 of 2015.

The Vice Chairman & Managing Director, APSRTC, Hyderabad.

The Joint Managing Director, TSRTC, Hyderabad.

The Director General & Inspector General of Police, Telangana, Hyderabad

All Commissioners of Police (through Transport Commissioner, Telangana, Hyderabad)

All the District Collectors (through Transport Commissioner, Telangana, Hyderabad)

The Regional Transport Authority, Hyderabad (through Transport Commissioner, Telangana, Hyderabad)

The Secretary to Government of India, Ministry of Road Transport & Highways, (Tr.Wing), New Delhi.

The Commissioner of Information & Public Relations, Telangana State, Hyderabad.

**Copy to:**

The Special Secretary to Hon'ble Chief Minister, Telangana State, Hyderabad

The PS to Hon'ble Minister for Transport, Telangana State, Hyderabad.

The Principal Secretary to Government, TR&B Department, Government of Andhra Pradesh Secretariat, Hyderabad.

The PS to Secretary to Government, TR&B Department, Telangana State, Hyderabad.

The Law Department, Telangana State, Hyderabad.

SC/SF

//FORWARDED:: BY ORDER//

SECTION OFFICER